

ZELAYA MAY ESCAPE ON HABEAS CORPUS

Judge Holt Grants Writ to
Bring Him Into Court
Monday Morning.

DENIES WARRANT EXISTS.

Ex-Dictator Asserts Affidavit
on Which His Arrest Was
Made Is Faulty.

Staton & Johnson of 49 Wall street, counsel for Gen. Jose Santos Zelaya, former President of Nicaragua, who is in the Tombs, began a fight yesterday for his release. The first step was an application for a habeas corpus writ, which was granted by Judge Holt, to bring the prisoner into court on Monday morning.

At 2 o'clock on Monday he will be before Commissioner Shields, who committed him to the Tombs last Thursday, for final hearing under the warrant of arrest.

The petition for the writ is signed in a flourishing hand by the former President. It alleges that he is being "unjustly and unlawfully restrained of his liberty" by United States Marshal Henkel.

Gen. Zelaya asserts that the affidavit does not allege that a warrant for him has been issued by the government of Nicaragua, and that it is faulty also in that all material allegations are based on information and belief from telegraphic communications by the Attorney-General of the United States to the United States Attorney in New York.

The deponent says that he resigned the Presidency of Nicaragua on December 20, 1910, that he left the republic of which he is still a citizen, has not been returned and that he at no time committed the crime of murder.

Article 9 of the extradition treaty between Nicaragua and the United States, under which Gen. Zelaya is held, says: "On being informed by telegraph or otherwise through the diplomatic channel that a warrant has been issued by competent authority for the arrest of a fugitive charged with any of the crimes enumerated in the foregoing articles of this treaty, and on being assured from the same source that a requisition has been made for the surrender of such criminal, or is about to be made, accompanied by such warrant and duly authenticated depictions or copies thereof in support of the charge, each government shall endeavor to procure the provisional arrest of such criminal and to keep him in custody for such time as may be practicable, not exceeding sixty days, to await the production of the document upon which the claim for extradition is forwarded."

Gen. Zelaya's attorneys will consider an application for bail. There are two precedents in the southern district of New York for bail in extradition cases. Gen. Zelaya spent yesterday "incommunicado" on his own request, in Cell No. 113 in the Tombs. The only persons he saw were his lawyers and G. B. Carlisle, Jr., of New Rochelle, who knew him in Nicaragua. Dr. Louis F. Corea, former Minister at Washington, went to the capital yesterday to join the fight before the State Department.

ELEVATED TRAINS IN CRASH.

Third Avenue Traffic Tied Up for
Hours—No One Hurt.

A northbound Third Avenue elevated train from City Hall jammed the rear of another train at Madison Square yesterday afternoon. The accident was spectacular, but did little damage. The front car of the City Hall train was lifted to the station platform, the rear car of the forward train was jammed to the other side and all the electric currents on the Third and Second Avenue roads were short-circuited simultaneously. The firemen came and all traffic was stalled for three hours.

Four men demanded medical assistance, although ambulance surgeons could not discern any external symptoms of injury. The illumination of all the City Hall Square loading houses and awakened Chinatown.

The official theory of the accident was that John Braden, a signman at the City Hall train, ran past a signal and braked was suspended pending investigation. The collision happened at 1:30 o'clock, when traffic is lightest, and there was plenty of time to clear the tracks for the evening rush.

There were no passengers in the front car of the City Hall train and even the motorcar was damaged. There were six in the rear car of the train ahead. They were bumped about, but no one was cut or scratched.

PART TIME PLAN TO END STRIKE.

General Electric Co. and Employees
May Agree Today.

SCHENECTADY, Nov. 28.—It is expected that the General Electric strike, affecting 14,000 employees, will be settled to-morrow.

After a long conference to-day between the General Electric officials, the strike committee and Mayor Linn, it was announced that an adjournment had been taken until 9 o'clock to-morrow, when an agreement will be drawn up satisfactory to both parties, and an hour later this will be submitted to the Electrical Trades Alliance, the central body governing the strike.

The plan of placing all employees back to part time instead of laying off some together and allowing others to work full time will probably be the basis of the settlement. As to the reinstatement of Frank Dujay and Miss Leslie, the company has agreed to give each employment, in another department, with the same salary as before. This is done so that neither company nor strikers may claim a victory and use the matter hereafter as a precedent.

GARY THIEVES SENTENCED.

Servant and Delivery Man Punished
for Systematic Pilfering.

Two men were sentenced in Special Sessions yesterday for stealing from the home of James Albert H. Gary, 824 Fifth Avenue, head of the United States Steel Corporation. They were Claude Cooper, 34 years old, of 201 East Sixty-sixth street, Judge Gary's second child, and John Bourgeois, 29 years old, a butcher's driver, both made deliveries at the home. Cooper was sentenced to twenty days in prison and Bourgeois was put on probation. They admitted they had been taking canned goods and clothing from the place. Judge Gary wrote to the court that the pilferings had gone on so long he wanted to get to the bottom of the thefts.

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BROOKLYN ADVERTISEMENTS.

FREDERICK LOESER & CO.

Where Will You Buy Your BOOKS For Christmas



WHY NOT BUY THEM where you can be sure to find what you want if you know it—and where you can be sure of intelligent assistance in selection if you need that?

The Only Complete Book Store In Brooklyn Is at Loeser's

Not merely because we have the largest stock (as we have), but because this large stock is properly chosen and well arranged; because the service is prompt, courteous, intelligent; because you know in a minute here that you are going to get what you want.

Ready for your inspection and selection are:

All the popular novels.

All important serious works, new and old.

All standard authors in fine bindings as well as moderate priced editions.

Many Books bound to our order that have the quality of exclusiveness.

You will surely have Books on your Christmas gift list. You will surely get the best Christmas Book service at Loeser's. Early purchasers who choose any of the new novels at \$1 or more may have them in Christmas boxes for the asking.

The time to buy is NOW—the place HERE.

AND BOOKS FOR THE CHILDREN

Every mother will wish to give at least some Books to her children, since nothing can bring them more enduring pleasure. A wonderful variety of Children's Books has been issued for this season, and they are all here. Picture Books, Story Books, Painting Books—beautiful and durable Books for children of all ages.

Most people hereabout know the Loeser Book Store. There was never a better time to test its service.—Main Floor.

Frederick Loeser & Co.
In every detail the Leading Retail Establishment of Brooklyn.

DYING PALMIST IS NEW POLICE ACCUSER

Arrested for \$10,000 Swindle.
Wolf Tells of Buying
"Protection."

NAMES TWO OFFICIALS

Grand Jury to Hear Graft Cases
Monday—Indictments
Expected.

Frank Henry Wolf, a former fortune teller, now under arrest on a charge of swindling a woman out of \$10,000, gave Assistant District Attorney Frederick J. Groch a statement yesterday that brings the names of two police officials, both of whom have been acting captains, into the police graft investigation.

Wolf is said to be dying of cancer. When he was arrested his condition was so serious that he was released in \$5,000 bail and was taken to Fordham Hospital. He is not expected to live more than a few days.

Although a warrant was issued for the arrest of the former fortune teller fourteen months ago, he was seen daily in the City Hall up to the time of his arrest. It was said yesterday that he explained this immunity to Mr. Groch.

According to his story as repeated at the Criminal Court Building, Wolf when "in business" as palmist and fortune teller had three places in the Tenderloin, one being in West Forty-fifth street. He used several names, "Prof. Sears" and "Dale." In addition to his own \$228, and part of the money, he said, went to an official at Police Headquarters whose conduct has been under inquiry.

Wolf told Mr. Groch, it was said, that he paid the money to keep his places open to two lieutenants who have been acting captains.

Mr. Groch would not discuss his visit to Wolf. He will have another talk with the man.

Wolf is accused by Mrs. Francesa Groch of 285 Highland avenue, Astoria, of cheating her of the savings of a lifetime. When Wolf was a fortune teller, she says, he induced her to invest in stocks. Wolf had been living at the home of his mother-in-law, at 1275 Franklin avenue, The Bronx, according to the police. Wolf, it was said, gave Mr. Groch information that corroborated other witnesses against police officials.

Ma Groch also questioned three women yesterday in connection with the graft inquiry. Cases against the police officials are to be presented to the Grand Jury on Monday unless there is some change in Mr. Whitman's plans. Indictments are expected against a man in high authority at Headquarters, a former inspector of police in Manhattan, a recently retired police captain and nine men of lower rank in the department.

Horse Tramples Boy to Death.

Joseph Janaky, 14 years old, of 25 Ransom street, Elmhurst, died in Hudson Street last night of injuries received under the feet of a truck horse at Church and Chestnut streets. Philip Seale of 71 Woodlawn street, Brooklyn, the driver, convinced the police that the accident was not his fault.

THE SEAGOERS.

Arrivals From and Departures for
Europe and the Southern Ports.

Arrivals by the Canadian Lustrina, (from Liverpool): Col. Sir Charles Allen, J. Chamney McKee, Mr. Charles and Lady M. McKee, Mr. and Mrs. George Mulock, Mrs. William G. Beale, Mr. and Mrs. George Leavard, Major F. H. Bowater, Norman Berry, H. R. Raper, J. R. Plummer, Mrs. A. Bruce Dudley, Mr. and Mrs. H. H. Marquis, Mrs. E. E. L. M. Far, Mr. and Mrs. Francis Schuler, John K. E. Fell, Louis Spencer, Dr. S. Ormond Goldman, Charles W. J. Tennant, Mrs. G. G. Grant, Stevenson Taylor, Mrs. D. M. Griffin, Charles W. J. Tennant, Miss Lindal Hageby, Mr. and Mrs. R. H. Sherman, Major Francis J. Mc. Justice W. W. Wells, Capt. Gann.

Departing to-day by the White Star liner Adriatic, for Madeira and the Mediterranean: Mr. and Mrs. Henry Lloyd, Mrs. D. M. Griffin, Mrs. E. E. L. M. Far, Mr. and Mrs. H. H. Marquis, Mr. and Mrs. George Leavard, Major F. H. Bowater, Norman Berry, H. R. Raper, J. R. Plummer, Mrs. A. Bruce Dudley, Mr. and Mrs. H. H. Marquis, Mrs. E. E. L. M. Far, Mr. and Mrs. Francis Schuler, John K. E. Fell, Louis Spencer, Dr. S. Ormond Goldman, Charles W. J. Tennant, Mrs. G. G. Grant, Stevenson Taylor, Mrs. D. M. Griffin, Charles W. J. Tennant, Miss Lindal Hageby, Mr. and Mrs. R. H. Sherman, Major Francis J. Mc. Justice W. W. Wells, Capt. Gann.

By the North German Lloyd liner George Washington, for Plymouth, Cherbourg and Bremen: Mr. and Mrs. Francis Edwin B. Fiske, R. A. Martin, Mrs. D. M. Griffin, Mr. and Mrs. H. H. Marquis, Mr. and Mrs. George Leavard, Major F. H. Bowater, Norman Berry, H. R. Raper, J. R. Plummer, Mrs. A. Bruce Dudley, Mr. and Mrs. H. H. Marquis, Mrs. E. E. L. M. Far, Mr. and Mrs. Francis Schuler, John K. E. Fell, Louis Spencer, Dr. S. Ormond Goldman, Charles W. J. Tennant, Mrs. G. G. Grant, Stevenson Taylor, Mrs. D. M. Griffin, Charles W. J. Tennant, Miss Lindal Hageby, Mr. and Mrs. R. H. Sherman, Major Francis J. Mc. Justice W. W. Wells, Capt. Gann.

By the Cunard liner Carmania, for Queenstown and Liverpool: Mr. and Mrs. Henry Lloyd, Mrs. D. M. Griffin, Mrs. E. E. L. M. Far, Mr. and Mrs. H. H. Marquis, Mr. and Mrs. George Leavard, Major F. H. Bowater, Norman Berry, H. R. Raper, J. R. Plummer, Mrs. A. Bruce Dudley, Mr. and Mrs. H. H. Marquis, Mrs. E. E. L. M. Far, Mr. and Mrs. Francis Schuler, John K. E. Fell, Louis Spencer, Dr. S. Ormond Goldman, Charles W. J. Tennant, Mrs. G. G. Grant, Stevenson Taylor, Mrs. D. M. Griffin, Charles W. J. Tennant, Miss Lindal Hageby, Mr. and Mrs. R. H. Sherman, Major Francis J. Mc. Justice W. W. Wells, Capt. Gann.

By the Hamburg American liner Carl Schurz, for the West Indies and Colon: Mr. and Mrs. Henry Lloyd, Mrs. D. M. Griffin, Mrs. E. E. L. M. Far, Mr. and Mrs. H. H. Marquis, Mr. and Mrs. George Leavard, Major F. H. Bowater, Norman Berry, H. R. Raper, J. R. Plummer, Mrs. A. Bruce Dudley, Mr. and Mrs. H. H. Marquis, Mrs. E. E. L. M. Far, Mr. and Mrs. Francis Schuler, John K. E. Fell, Louis Spencer, Dr. S. Ormond Goldman, Charles W. J. Tennant, Mrs. G. G. Grant, Stevenson Taylor, Mrs. D. M. Griffin, Charles W. J. Tennant, Miss Lindal Hageby, Mr. and Mrs. R. H. Sherman, Major Francis J. Mc. Justice W. W. Wells, Capt. Gann.

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CARLISLE GETS GRAFT INQUIRY POSTPONED

Osborne Will Delve Into High-
way Asphalt Scandal
Next Wednesday.

RUBINO TO TESTIFY FIRST

Records of Four Hearings on
Specifications Will Be
Turned Over.

ALBANY, Nov. 28.—James W. Osborne, special commissioner appointed by Governor Clinton to inquire into evidence of graft in State departments, postponed to-day the presentation of evidence until next Wednesday after he had opened the investigation of the use of asphalt on State highways. The postponement was urged by Commissioner of Highways John N. Carlisle, and was agreed to by Henry A. Rubino, attorney for the Warner-Quinlan Asphalt Company.

Carlisle asked for time to allow his counsel to become acquainted with the case.

Before the adjournment Commissioner Osborne said he would like to have Rubino prepared to open the hearing on Wednesday with a presentation of his side.

Rubino in a series of charges filed with Gov. Clinton alleges that Carlisle discriminated against the oil asphalt manufactured by the Warner-Quinlan company, which he represents; that the advisory engineers of the Highway Department were incompetent, and that certain money passed from McGuire to ex-Gov. Sulzer and John A. Hennessy, some of which, he alleges, came from the Barber Asphalt Company, of which McGuire is an agent.

Carlisle agreed to-day to turn over to Commissioner Osborne on Wednesday the record of four hearings given upon the question of asphalt specifications. These hearings, at which it is said there was a great number of reports received yesterday, indicate that the egg boycott declared by the league he struck a popular note, and that a sufficient number of men and women throughout the country will abstain from eggs to reduce the demand and force the price down.

In Kansas City the Associated Consumers League and Woman's Christian Temperance Union have joined the boycott. Charleston, S. C., sends word that the housewives have all struck on eggs. In New Brunswick and Leonia, N. J., housewives have fixed the high price they'll pay at 20 cents a dozen. "It is wonderful," Mrs. Heath said, "the way the men have joined the boycott."

Commissioner Osborne said he would like to have a copy of the record of them. Those hearings were held on July 16, July 23, October 22 and November 17. L. Lorrin Kellogg and Franklin Nevins, attorneys for the Barber Asphalt Company, were present. Nevins said he would give testimony to counteract the effect of the reflections upon the Barber company contained in the Rubino charges. His testimony, Commissioner Osborne said, would be acceptable.

Patrick R. Quinn, vice-president of the Warner-Quinlan concern, who will be one of the leading witnesses for Rubino's side, will give testimony to support the charges against Commissioner Carlisle.

To Be Used in John Doe Graft Inquiry—McGuire Reports.

John H. McGuire, Deputy Secretary of State, brought to New York yesterday the statements of campaign receipts and

BURLINGTON ARCADE—THE MEN'S STORE

Men Are Calling for Ulsters

And are showing fine discrimination by coming to the Burlington Arcade for them.

England's best, \$35 to \$60.
America's best, \$30, \$35, \$40.
Sizes in both, 34 to 48 chest.

Whitneys and tweeds in the English coats; whitneys, friezes and chinchillas in the American coats. Roomy, full skirted; coats in which a man may sit and keep his knees well covered. Double-breasted, for the most part; belted in back.

SUITS, regular stocks, \$18 to \$45.

OVERCOATS, regular stocks, \$18 to \$75.

725 Men's Suits at \$23.50

By every rigid standard these suits are \$30 and \$35 grades.

The workmanship in them will bear comparison with that of the best tailors in America.

The patterns are custom-like in their colorings and excellent taste.

The styles are correct; one for young men—of any age—and one for men who have settled into permanently rounded lines.

Black and white and blue and white effects, heather mixtures, plain grays, blues and browns; a few silk-lined.

A good selection for men of all sizes.

Reason—a distribution of partnership interests.

Knee-Rugs for the Army-Navy Game

A very choice collection of the newest steamer and carriage rugs from London, here for the holidays. Zibeline, vicuna, wool; plain, plaids and plain and plaids. \$10 to \$40.

Extra size rugs which envelop the body from chin to feet, \$25.

We have sold many of them for use at the Polo Grounds today.

If you cannot get to the game, come to the Wanamaker Auditorium, where every play will be shown, as made, on the Iviein Scoreboard. Admission by ticket, obtainable in the Burlington Arcade.

Motoring Furs

FUR OUTSIDE AND FUR LINED COATS.

CAPS, GLOVES AND DETACHABLE COLLARS.

ROBES FOR THE LIMOUSINE AND OPEN CAR.

SELECTED PELTS, WARRANTED, WELL MATCHED, AT VERY REASONABLE PRICES.

JOHN WANAMAKER

Broadway at Ninth

\$1 SHOWS ON BROADWAY SOON.

First Will Be "The Pleasure Seekers" on December 15.

The long suggested and recently produced dollar show on Broadway, will come in two weeks, it was said yesterday. On December 15 Marcus Low will offer "The Pleasure Seekers" at the Broadway Theatre at prices ranging from \$1 down. The production was made by Mr. Low and Lew Fields. After a road tour it was brought to New York and has been showing at the Winter Garden. A new production will be brought to the Winter Garden.

The Broadway Theatre, on Broadway between Fortieth and Forty-first streets, has recently had a varied career. It has been the home of many big productions, "Ben-Hur," when under the management of Klaw & Erlanger, and later large musical comedies under the direction of Lew Fields, and three seasons ago it was the scene of the reunion of Weber and Fields, when they presented their jubilee with many of their old stars. For the past season it has been devoted to Marcus Low's 10 cent motion pictures.

SULTAN LOSES \$10,000 SUIT.

Turkish Ruler Fails to Get Part of
Stalin Armenian's Estate.

The Sultan of Turkey failed yesterday before the Appellate Division of the Supreme Court in his attempt to get \$10,000 of the half million dollar estate of Hachamyes Tavashianian, the Armenian rug dealer, who was assassinated here in 1907.

The Turkish Government claimed the \$10,000 which was left to the decedent's mother, Madame Tavashianian, on the ground that she died in Constantinople in 1911 and her share falls to the sovereign.

The court held that no right to the fund was shown in the Sultan's suit.

FUNERAL OF E. M. HOLLAND.

Services in Same Church From
Which His Father Was Buried.

Funeral services for E. M. Holland, the actor who died in Cleveland on Monday, were held yesterday afternoon at the Church of the Transfiguration, East Twenty-ninth street. The service was conducted by the Rev. Dr. George C. Houghton, rector of the church, who is a nephew of Dr. Houghton, who conducted the funeral services for Mr. Holland's father.

The Church of the Transfiguration is better known, and particularly among theatrical folk, as the Little Church Around the Corner, and it was through the death of the elder Holland that it got its familiar name. Another church had declined to bury Mr. Holland because he was an actor and his rector suggested a little church around the corner. Joe Jefferson saw Dr. Houghton and the services were held there.

The pallbearers at Mr. Holland's funeral yesterday were John Drew, Francis Wilson, Dr. Wolf Hopper, Augustus Thomas, William Courtleigh, Thomas H. Clarke, Joseph Grismer and Clay M. Greene.



If Everyman realized that the sort of roof he habitually carries about over his head determined in a measure his standing among men, there would be fewer poor quality hats sold.

It is told that a leading life insurance company once asked its solicitors to buy hats of certain fashionable hatters, on the theory that the labels might help to impress prospective customers.

However that may be, a good name on the label of a hat or overcoat is a sort of badge of respectability that unconsciously gives the wearer satisfaction.

It takes a good many years of strictly honorable trading to produce a name worthy of distinction—Rogers-Peet clothes and Stetson hats for instance.

Much poor stuff is being sold for the prices that we ask for quality goods.

ROGERS PEET COMPANY.

Three Broadway Stores

at at at

Warren St. 13th St. 34th St.

Woman Who Stole Bond Coupons Freed.

Because she made complete restitution for the amount of the theft of coupons for 100 bonds of the Southern Pacific Railroad Company belonging to John D. Rockefeller Mrs. Evelyn P. Rutherford occupied with a suspended sentence yesterday before Judge Crane in the Court of General Sessions. The prosecution recommended leniency.